

MINUTES

INDIANA BOARD OF CHIROPRACTIC EXAMINERS

JANUARY 7, 2010

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Dyer called the meeting to order at 9:00 a.m. in Conference Center Room 5 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-10-1-1.5(d).

Board Members Present:

David Dyer, D.C., Chairman
Charles Cochran, D.C., Vice Chair
John Bernzott, D.C.
Marian Klaes-Lanham, D.C.

Board Members Absent:

David Davis, D.C.
David Frischman, D.C.

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Assistant Board Director, Professional Licensing Agency
Leslie Bridgforth, Case Manager, Professional Licensing Agency
Liz Brown, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA AS AMENDED

A motion was made and seconded to adopt the agenda, as amended.

KLAES-LANHAM/COCHRAN
Motion carried
4-0-0

III. ADOPTION OF THE MINUTES FROM THE OCTOBER 1, 2009 MEETING

The Board will consider the adoption of the minutes from the October 1, 2009 meeting at the April 8, 2010 meeting.

IV. APPEARANCES

A. PROBATIONARY

1. Todd J. Posar, D.C., License No. 08000789A
Administrative Cause No. 2009 IBCE 0001

Dr. Posar appeared before the Board, as requested, regarding his ongoing probation. Dr. Posar explained to the Board things are going as well as they can at this time. He stated that his employment with Theodore Thatcher, D.C. may be ending due to business. Dr. Posar stated he has not been paid for over two (2) months. Dr. Posar also indicated, that due to not getting paid, he will not be able to afford his medications or possibly continue his treatment with his psychiatrist, Kearn Hinchman, D.O. because of financial constraints. He also stated he is no longer seeing Keith Puffer, Ph.D., Counselor.

B. RENEWAL

1. Ethan M. Kirchner, D.C., License No. 08002014A

Dr. Kirchner appeared before the Board, as requested, regarding reinstatement of his expired Indiana chiropractic license. His license expired July 1, 2004. He explained that he had moved to Maryland and opened a practice there. Dr. Kirchner stated he is in the process of moving back to Indiana and would like his license to be active once again so he can practice in Indiana. Dr. Kirchner has submitted his renewal along with the required fee and continuing education certificates.

Board Action: A motion was made and seconded to reinstate Dr. Kirchner's expired chiropractic license.

BERNZOTT/KLAES-LANHAM
Motion carried
4-0-0

2. Harold E. Johnson, D.C., License No. 08001870A

Dr. Johnson appeared before the Board, as requested, regarding the reinstatement of his expired Indiana chiropractic license. His license expired July 1, 2006. He explained that he also holds a respiratory care practitioner license in Indiana. He stated he has been working in the respiratory field since the expiration of his chiropractic license. He began practicing respiratory care while putting his children through school. Since his children are grown he would like to pursue his career in chiropractic medicine. Dr. Johnson has submitted his renewal along with the required fee and continuing education certificates.

Board Action: A motion was made and seconded to reinstate Dr. Johnson's expired chiropractic license.

COCHRAN/KLAES-LANHAM
Motion carried
4-0-0

C. APPLICATION

1. Aaron Joshua Bebee, D.C.

Dr. Bebee appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Bebee had positive responses to questions number 4 and 5B on the application. Question 4 asks "Are you now being, or have you ever been, treated for drug or alcohol abuse?" and question 5B which asks "Have you ever been convicted of, plead guilty or nolo contendere to any offense, misdemeanor or felony in any state?" He explained in a notarized affidavit that on July 20, 2003 he was involved in an accident in which there were no personal injuries and was charged with Operating a Vehicle while Impaired (OWI). He pled guilty to the charge on October 7, 2003 and was sentenced to one year (1) of probation, in which he was released early for being in compliance and a six (6) session outpatient group therapy for alcohol offenders. Dr. Bebee has completed all court established requirements and paid all fines and fees. Dr. Bebee successfully completed the Indiana jurisprudence examination. He is a 2009 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Bebee does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Bebee a chiropractic license.

BERNZOTT/KLAES-LANHAM
Motion carried
4-0-0

2. Chelsey Marie Beckman, D.C.

Dr. Beckman appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Beckman successfully completed the Indiana jurisprudence examination. She is a 2009 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV and Physiotherapy. Dr. Beckman does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Beckman a chiropractic license.

COCHRAN/BERNZOTT

Motion carried
4-0-0

3. Jess Thomas Brower, D.C.

Dr. Brower appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Brower successfully completed the Indiana jurisprudence examination. He is a 2009 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Brower does not hold any other licenses at this time

Board Action: A motion was made and seconded to grant Dr. Brower a chiropractic license.

KLAES-LANHAM/BERNZOTT
Motion carried
4-0-0

4. Robert Dennis Brown, D.C.

Dr. Brown did not appear before the Board, as requested, regarding his application for chiropractic licensure. Dr. Brown's application will pend for one year from date of receipt pursuant to Indiana Code 25-1-5-4.

5. Joseph Paul Busch, D.C.

Dr. Busch appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Busch successfully completed the Indiana jurisprudence examination. He is a 2006 graduate of National University of Health Sciences and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Busch does not hold any other licenses at this time. When asked why he was never licensed, he explained he had been working in Panama City, Panama and is currently the managing/editorial director for *The American Chiropractic Magazine* in Florida.

Board Action: A motion was made and seconded to grant Dr. Busch a chiropractic license.

BERNZOTT/COCHRAN
Motion carried
4-0-0

6. Troy B. Byall, D.C.

Dr. Byall appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Byall successfully completed the Indiana

jurisprudence examination. He is a 2009 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Byall does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Byall a chiropractic license.

KLAES-LANHAM/COCHRAN
Motion carried
4-0-0

7. James Melvin Crowder, Jr., D.C.

Dr. Crowder appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Crowder has successfully completed the Indiana jurisprudence examination. He is a 2008 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Crowder currently holds a license in Illinois.

Board Action: A motion was made and seconded to grant Dr. Crowder a chiropractic license.

BERNZOTT/COCHRAN
Motion carried
4-0-0

8. Christine Erin Ermel, D.C.

Dr. Ermel appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Ermel has successfully completed the Indiana jurisprudence examination. She is a 2009 graduate of National University of Health Sciences and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Ermel does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Ermel a chiropractic license.

COCHRAN/KLAES-LANHAM
Motion carried
4-0-0

9. Charbel Youssef Harb, D.C.

Dr. Harb appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Harb has successfully completed the Indiana jurisprudence examination. He is a 2009 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Harb does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Harb a chiropractic license.

KLAES-LANHAM/BERNZOTT

Motion carried

4-0-0

10. Adam J. Maple, D.C.

Dr. Maple appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Maple successfully completed the Indiana jurisprudence examination. He is a 2009 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Maple does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Maple a chiropractic license.

BERNZOTT/KLAES-LANHAM

Motion carried

4-0-0

11. Michael Chad Richards, D.C.

Dr. Richards appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Richards successfully completed the Indiana jurisprudence examination. He is a 2009 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Richards does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Richards a chiropractic license.

KLAES-LANHAM/BERNZOTT

Motion carried

4-0-0

12. Casey Whitney Runnels, D.C.

Dr. Runnels appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Runnels successfully completed the Indiana jurisprudence examination. She is a 2009 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Runnels does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Runnels a chiropractic license.

KLAES-LANHAM/BERNZOTT

Motion carried

4-0-0

13. Steven Dale Smiley, D.C.

Dr. Smiley appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Smiley successfully completed the Indiana jurisprudence examination. He is a 2009 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Smiley does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Smiley a chiropractic license.

COCHRAN/BERNZOTT

Motion carried

4-0-0

14. Amanda Jo Smith, D.C.

Dr. Smith appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Smith has successfully completed the Indiana jurisprudence examination. She is a 2009 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Smith does not hold any other licenses at this time.

Board Action: A motion was made and seconded to grant Dr. Smith a chiropractic license.

COCHRAN/KLAES-LANHAM

Motion carried

4-0-0

15. Donnie B. Watkins II, D.C.

Dr. Watkins appeared before the Board regarding his application for chiropractic licensure. Dr. Watkins is a 2003 graduate of Palmer West College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Walker currently holds a license in Kentucky. He explained to the Board he has an opportunity to work in Indiana and would like an Indiana license to pursue this chance.

Board Action: A motion was made and seconded to grant Dr. Watkins a chiropractic license upon taking and passing the Indiana jurisprudence exam.

BERNZOTT/KLAES-LANHAM

Motion carried

4-0-0

V. ADMINISTRATIVE HEARING

There were no administrative hearings before the Board.

VI. SETTLEMENT AGREEMENTS

There were no settlement agreements before the Board.

VII. NOTICE OF PROPOSED DEFAULT

There was no notice of proposed defaults before the Board.

VIII. OLD/NEW BUSINESS

- Ms. Vaught spoke to the Board regarding changes within our agency. She explained to them that as of December 1, 2009, no pocket cards will be issued free of charge including ones for new licensees. If a licensee needs a pocket card or wall certificate, they will need to purchase one from our website. She also spoke of budget cuts and the agency's efforts to stay within the States current budget.
- Jurisprudence examinations and the way they are given to applicants are changing. Our office is now giving the jurisprudence examination by email. Once the application is complete, the case managers in our group will approve the applicant to take the examination. Applicants will have fourteen (14) days to complete the examination and have it returned to our office for scoring along with a notarized affidavit stating they will not use outside help in completing the examination nor will they release the examination to anyone else. License numbers will be issued upon passing of the Indiana jurisprudence examination. This does not change the way our office handles applications with positive responses, as those will still

require a personal appearance by the applicant in front of the Board at the next regularly scheduled meeting after completion of the application for approval. Once the Board approves the applicant, they may then take the jurisprudence examination at their convenience. This is in an effort to make our office more efficient and cost effective.

IX. DISCUSSION

A. Paul Powers, D.C.

University of Bridgeport College of Chiropractic
Re: Petition for Rule Amendment

Dr. Powers once again asked the Board to amend its rule regarding the acceptance of online continuing education. The Board has agreed to take it under advisement, but made no formal decision at this time.

X. APPLICATION REVIEW

A. Endorsement Applications

There were no endorsement applications to review.

B. Examination Applications

There were no examination applications to review.

C. Temporary Permits

There were no temporary permits to review.

D. Professional Corporation Applications

There were no professional corporation applications to review.

XI. PROBATIONARY REPORT

There were no probationary reports to review.

XII. CONTINUING EDUCATION

There was no continuing education to review.

XIII. REPORTS

A. Indiana State Chiropractic Association

Patrick from the ISCA discussed with the Board upcoming opportunities for continuing education. He indicated the ISCA is having a last minute seminar sometime in June but did not have the exact dates.

B. International Chiropractic Association of Indiana

There was no report given by the ICA.

C. Consumer Complaints

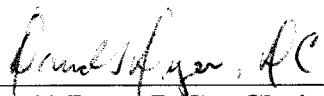
There was no report given on consumer complaints.

D. Continuing Education

There was no report given on continuing education.

XIV. ADJOURNMENT


There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 11:00 a.m.



David Dyer, D.C. - Chairman

7.68.16

Date



Charles Cochran, D.C. - Vice Chairman

10-7-10

Date